

RESOLUTION NO. 14-\_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
HUNTSVILLE, ALABAMA:

WHEREAS, Randall A. Schrimsher, hereinafter referred to as Owner, is the Owner of the land abutting a right-of-way lying within the City of Huntsville, Alabama, which said right-of-way is described as follows, to-wit:

SEE ATTACHED EXHIBIT A

WHEREAS, the abovesaid Owner has executed a declaration of their intent and desire, attached hereto as Exhibit "B," that right-of-way above described be abandoned by the City of Huntsville; and desires to divest any and all right, title and interest which the public may have in and to said portion of the right-of-way so described, acquired by virtue of the dedication of said right-of-way to the City of Huntsville, Alabama;

WHEREAS, the Owner has represented to the City Council of the City of Huntsville, Alabama, and the City Council, based upon such representation does find:

1. That the retention of said right-of-way will not benefit the City of Huntsville, Alabama; and
2. That convenient and adequate means of ingress and egress is available to all owners of surrounding property, such being afforded by virtue of other streets, easements, avenues and alleys; and
3. That the abutting property owners represent that no owner of property served by the right-of-way being vacated (or of property within the subdivision where the right-of-way lies) objects to the vacation of the right-of-way.

NOW, THEREFORE, BE IT RESOLVED, that the City of Huntsville, Alabama, does hereby declare the above described right-of-way to be abandoned.

ADOPTED, this the 20th day of November, 2014.

\_\_\_\_\_  
President of the City Council  
Of the City of Huntsville, Alabama

APPROVED, this the 20th day of November, 2014.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama

**All that part of a platted Right-of-Way as shown on the recorded plat of JC McDonald Addition as recorded in the Office of the Judge of Probate, Madison County, Alabama in Plat Book 1, page 73 and being more particularly described as follows:**

**Commencing at an existing concrete Alabama Highway Department monument at the intersection if extended of the East margin of Triana Boulevard and the North margin of Governors Drive; thence North 02 degrees 17 minutes 07 seconds East 1.59 feet to the Point of Beginning. Thence from the Point of Beginning and along said East margin of Triana Boulevard continue North 02 degrees 17 minutes 07 seconds East 51.01 feet to a point on the Northwesterly margin of Callaghan Avenue as platted in said Plat Book 1, Page 73; thence along said margin North 57 degrees 44 minutes 35 seconds East 636.21 feet to a point; thence leaving said margin South 32 degrees 15 minutes 25 seconds East 41.88 feet to point on the Southeasterly margin of said Callaghan Avenue; thence along said margin South 57 degrees 43 minutes 52 seconds West 665.13 feet to the Point of Beginning and containing 27,296.1 square feet, or 0.626 Acres, more or less.**

STATE OF ALABAMA

COUNTY OF MADISON

**DECLARATION OF VACATION OF RIGHT-OF-WAY**

KNOW ALL MEN BY THESE PRESENTS: That the undersigned RANDALL A. SCHIRMSHER, desiring to vacate that certain right-of-way hereinafter described, says as follows:

1. That the said Owner is the owner of all the land abutting the hereinafter described right-of-way; and
2. WHEREAS, convenient and reasonable means of ingress and egress are available to the owner of the surrounding property; and
3. WHEREAS, the said right-of-way, hereinafter described, is situated within the corporate limits of the City of Huntsville, Alabama, and was heretofore dedicated to said City; and
4. WHEREAS, the undersigned, by this instrument, declares his intent to vacate the said right-of-way, hereinafter described; and
5. WHEREAS, it may be necessary for the City of Huntsville, Alabama to retain an easement for utilities and drainage over the real estate described below.

NOW, THEREFORE, the undersigned, as the owner of all property abutting the said right-of-way hereinafter described, does hereby petition and urge that the City Council of the City of Huntsville, Alabama, adopt a resolution hereby declaring said easement vacated and assenting to the vacation of the following described right-of-way, being described, as follows:

All that part of a platted Right-of-Way as shown on the recorded plat of JC McDonald Addition as recorded in the Office of the Judge of Probate, Madison County, Alabama in Plat Book 1, page 73 and being more particularly described as follows:

Commencing at an existing concrete Alabama Highway Department monument at the intersection if extended of the East margin of Triana Boulevard and the North margin of Governors Drive; thence North 02 degrees 17 minutes 07 seconds East 1.59 feet to the Point of Beginning. Thence from the Point of Beginning and along said East margin of Triana Boulevard continue North 02 degrees 17 minutes 07 seconds East 51.01 feet to a point on the Northwesterly margin of Callaghan Avenue as platted in said Plat Book 1, Page 73; thence along said margin North 57 degrees 44 minutes 35 seconds East 636.21 feet to a point; thence leaving said margin South 32 degrees 15 minutes 25 seconds East 41.88 feet to point on the Southeasterly margin of said

Callaghan Avenue; thence along said margin South 57 degrees 43 minutes 52 seconds West 665.13 feet to the Point of Beginning and containing 27,296.1 square feet, or 0.626 Acres, more or less.

The above-described property shall remain subject to an easement for utilities and drainage in favor of the City of Huntsville, Alabama.

IN WITNESS WHEREOF, the undersigned owner of all property abutting said right-of-way hereinabove described, has caused this instrument to be executed, on this the 14<sup>th</sup> day of November, 2014.

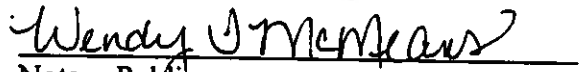


Randall A. Schrimsher

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for the State of Alabama at Large, hereby certify that Randall A. Schrimsher, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office, this the 14<sup>th</sup> day of November, 2014.



Notary Public  
My Commission expires: 6-19-2018